

Rockport Conservation Commission Minutes

June 1, 2016

Location: Rockport Town Hall, Meeting Room A

Present: Larry Neal/Chairman, Alan MacMillan, Rob Claypool, David McKinnon, MaryAnn Lash, Mel Michaels/Associate Member, Andrea Nichols/ Secretary, GERALYN Falco/Conservation Agent. The Rockport Conservation Commission (RCC) is a five member volunteer board. Five voting members are present.

Stewardship

Sandpiper property - Don Greel (DPW) has requested RCC's input on placement of granite benches on property; Mr. McKinnon suggests that one place selected is very close to neighboring property and RCC may reconsider not placing bench there.

Minutes

05/18/16: Mr. MacMillan moves to approve minutes as amended; Mrs. Lash seconds. Vote 5:0.

Review Orders of Conditions

NOI 62-0728, Mary Jo Drake, 14 Gott Street (Map 22/Lot 119). Mr. MacMillan moves to issue OC as written; Mr. McKinnon seconds. Vote 5:0.

Other Business

- **US Fish & Wildlife Coastal Barrier Resources System (CBRS) Mapping Program-**
Agent Falco presents information based on telephone conversation with U. S. Fish & Wildlife (FWS) because webcast was not allowed by FWS until public hearing process begins; explains mapping program; displays CBRS website, showing System Units in Rockport and Gloucester; explains how System Units receive more protection than Other Protected Areas by disallowing federal funds for development on them. FWS's contractor had delineated area of concern but worded area in confusing manner; confusion caused RCC to be concerned with project at Long Beach (since contractor called all beaches there "Long Beach"). Due to WPA protection on parcels noted, Agent Falco feels that development would not be allowed on them and suggests allowing area to be conserved as System Unit. RCC has many issues with FWS request; feels that it is not agency to be making decision (Mr. Michaels has researched properties and finds them not protected as suggested by FWS, and that BOS owns properties); are concerned with actions taken in this request are "forever"; suggests letter be written stating that it supports protection of its wetlands resource areas but not enough information has been submitted for it to approve this designation. Agent Falco to draft letter and have RCC view it at next meeting.
- **Construction@129 Granite Street –** representing property owner is Alan Battistelli; Agent Falco conducted site visit with Mr. Battistelli and shows photos of unpermitted retaining wall and stone steps near coastal bank. Mr. Battistelli tells about lawn on site upland of coastal bank; says old stairway was removed as was old septic system; current retaining wall is where old septic system was collapsed and filled; wants to continue stone wall to northern end of property; requests minor amendment to create terraces with lawn in them. RCC

concerns are that wall and steps were constructed in violation of Order of Conditions (OC); no plan of retaining wall(s) or steps in cross-section view presented; and that FEMA V2 Zone is now elevation 36 (used to be 24) so coastal bank delineation changes for new activities. *Jane Montecalvo, 92 Granite Street* - is concerned about Mr. Battistelli not knowing what is taking place onsite. *Douglas Kieran, attorney for Yankee Clipper (127 Granite Street)* – distributes complaint letter; suggests that new surveyed plan be presented to RCC for wall and steps; is concerned with helicopter taking off and landing on property as well as with possible impacts to Yankee Clipper from wave action, flooding and erosion caused by wall. *Greg Blaha, 133 Granite Street* – feels construction of wall is egregious and that owner wants to fill in area to expand his yard; has view issues; thinks that this increase in activity needs site plan review; asks RCC to not allow construct within 25' No-Disturb Zone; and comments on pool. *Harold Mallette, 133R Granite Street* – asks if owner is working on wall now; shows photos of equipment on site; recommends RCC do site visit. *Zenas Seppala, 92 Granite Street* – is curious about pools. RCC notes violation of OC within 25' NDZ requires enforcement; fines may be levied; informs Mr. Battistelli that this issue is continued until next meeting (June 15, 2016) pending more information. A letter will be sent to Mr. Roma (property owner).

- Goals for FY 2016 – RCC reviews and discusses 2016 goals; Agent Falco to re-write them for RCC distribution.
- New member- note is on website; RCC asks Mr. Michaels to find old advertisement; Agent Falco will put article in newspaper to recruit new member.
- New Business/Announcements: Chairman Neal moves to add following item to agenda, Mrs. Lash seconds. Unanimous affirmative roll call: Mr. MacMillan, Mr. McKinnon, Mr. Claypool, Mrs. Lash, Chairman Neal.
- o **Request for Certificate of Compliance, DEP 62-0663, DPW, End of South Street (Map 28).** Chairman Neal moves to issue CoC; Mr. McKinnon seconds. Vote 5:0.

**Mr. Claypool moves to adjourn the meeting; Mr. McKinnon seconds. Vote 5:0.
9:20PM**

RCC ► Meeting adjourns at 9:20 PM ◄ RCC